

DOCKET NO. SC12733TP

**REMARKS**

In an Office Action mailed July 27, 2004, claims 1-28 and 30-39 were pending. Claims 1-12, 18, 20-24 and 39 were rejected, claims 13-17 and 19 were objected to and claims 25-28 and 30-38 were allowed. The rejection was made final. In response, Applicants are filing an amendment in furtherance of an RCE in which claims 1, 5-7, 10 and 39 are amended. Applicants request the allowance of claims 1-28 and 30-39, thereby placing the application in condition for allowance.

**Claim Rejections**

Claims 1-12, 20 and 39 were rejected under 35 U.S.C. 102(b) as being anticipated by Lim (U.S. Patent 5,915,176).

**Rejection of Claims 1-12, 20 and 39 under 35 U.S.C 102(b)**

Claims 1-12, 20 and 39 were rejected as being anticipated by Lim. In response, independent claims 1 and 5 are amended to recite a semiconductor channel structure having physically independent gate structures that are laterally adjacent the channel structure. In the device taught by Lim, a channel is formed in a substrate 21 between source and drain impurity regions 32. As amended, independent claims 1 and 5 recite a structure in which a channel has opposing sides and a top and gate structures are laterally adjacent the two opposing sides of the channel. The proposed amendments readily distinguish the present invention from Lim and place the claims in condition for allowance. Applicants respectfully request the withdrawal of the rejection.

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**Rejection of Claim 18 under 35 U.S.C 103(a)**

Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lim (U.S. Patent 5,915,176) in view of Prinz (U.S. Patent 6,816,414). In response, the base claim of claim 18, claim 1, is herein amended to readily distinguish from the combination of Lim and Prinz. For example, neither Lim nor Prinz teach or suggest a structure in which a channel has opposing sides and a top, Neither Lim nor Prinz teach or suggest gate structures that are laterally adjacent the two opposing sides of the channel. The proposed amendments readily distinguish the present invention from the combination of Lim and Prinz and places claim 18 in condition for allowance. Applicants respectfully the withdrawal of the stated rejection.

**Rejection of Claim 21 under 35 U.S.C 103(a)**

Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lim (U.S. Patent 5,915,176) in view of Cheng et al. (U.S. Publication 20050112817). In response, the base claim of claim 21, claim 1, is herein amended to readily distinguish from the combination of Lim and Cheng et al. For example, neither Lim nor Cheng et al. teach or suggest a structure in which a channel has opposing sides and a top, Neither Lim nor Cheng et al. teach or suggest gate structures that are laterally adjacent the two opposing sides of the channel. The proposed amendments readily distinguish the present invention from the combination of Lim and Cheng et al. and places claim 21 in condition for allowance. Applicants respectfully the withdrawal of the stated rejection.

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**Rejection of Claims 22-24 under 35 U.S.C 103(a)**

Claims 22-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lim (U.S. Patent 5,915,176) in view of Cleeves et al. (U.S. Patent 6,580,124). In response, the base claim of claims 22-24, claim 1, is herein amended to readily distinguish from the combination of Lim and Cleeves et al. For example, neither Lim nor Cleeves et al. teach or suggest a structure in which a channel has opposing sides and a top, Neither Lim nor Cleeves et al. teach or suggest gate structures that are laterally adjacent the two opposing sides of the channel. The proposed amendments readily distinguish the present invention from the combination of Lim and Cleeves et al. and places claim 18 in condition for allowance. Applicants respectfully the withdrawal of the stated rejection.

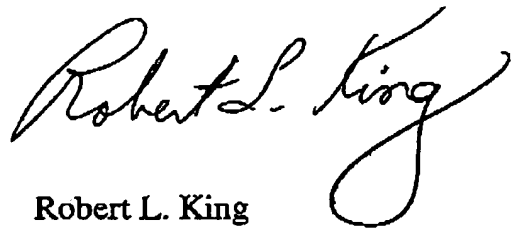
In view of the remarks set forth herein, the application is believed to be in condition for allowance. While not entitled to entrance of this amendment as a matter of right, Applicants respectfully submit that no new issues are raised by the requested amendment which places the application in condition for allowance. Further, no amendment herein is made for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references. In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic

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interview, the Examiner is requested to telephone the undersigned at (512) 996-6839.

Respectfully submitted,



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